Receipt.date: 10/14/2008

SIGNATURE

U.S. Department of Commerce

PAOR AND Trademark Office

INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)

Application Number	pplication Number 10/037,415			
Filing Date	January 4, 2002			
First Named Inventor David Baltimo:				
Art Unit	1636			
Examiner Name	D. Guz o			
Attorney Docket No.	75723-			
Attorney Docket No.	ZB/JPW/GJG/CS			

	NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. 1					
/C.H./	1	Brief of Defendant-Appellant Eli Lilly and Company, filed June 18, 2008, in the concurrent litigation captioned Ariad Pharmaceuticals, Inc., et al., v. Eli Lilly and Co., U.S. Court of Appeals for the Federal Circuit, Appeal No. 2008-1248;				
/C.H./	2	Brief for Plaintiffs-Appellees, filed September 26, 2008, in the concurrent litigation captioned Ariad Pharmaceuticals, Inc., et al., v. Eli Lilly and Co., U.S. Court of Appeals for the Federal Circuit, Appeal No. 2008-1248				
/C.H./	3	May 22, 2008 Defendant's Memorandum in Opposition to Amgen's Motion to Preclude the Opinions of Dr. Kathryn Calame Relating to Experiments Conducted by Dr. Joel Pomerantz, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;				
/C.H./		May 22, 2008 Defendant's Memorandum in Opposition to Amgen's Partial Motion to Preclude Ariad's Proffered Experts on Willfulness and Lack of Inequitable Conduct, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;				
/C.H./	5	May 22, 2008 Defendant's Memorandum in Opposition to Amgen's Motion for Summary Judgment of Noninfringement, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;				
/C.H./	6	May 22, 2008 Defendant's Memorandum in Opposition to Amgen's Motion to Preclude Certain Opinions of Dr. Jeffrey v. Ravetch, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;				
EXAMINER		/Catherine Hibbert/ 04/14/2009				

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). Applicant is to place a checkmark here if English language Translation is attached. Applicants: David Baltimore, et al.

DATE CONSIDERED

Serial No.: 10/037,415 Filed: January 4, 2002

Exhibit A

Receipt.date: 10/14/2008

Form PTO-1449 Substitute **U.S. Department of Commerce** Application Number 10/037,415 Patent and Trademark Office Filing Date January 4, 2002 First Named Inventor David Baltimore Art Unit 1636 INFORMATION DISCLOSURE STATEMENT Examiner Name - Guzo (Use several sheets if necessary) 75723-Attorney Docket No. ZB/JPW/GJG/CS NON PATENT LITERATURE DOCUMENTS Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item Initials* (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. May 22, 2008 Defendant's Memorandum of Law in Opposition to Amgen's Motion for Summary Judgment on Willfulness, in the /C.H./ concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; May 22, 2008 Defendant's Brief in Opposition to Amgen's Motion for Summary Judgment for Lack of Adequate Written /C.H./ Description, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; May 22, 2008 Defendant's Memorandum in Opposition to Amgen's Motion to Preclude the Testimony of Dr. Ryan /C.H./ Sullivan, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT: May 22, 2008 Defendant's Rebuttal Brief on Claim Construction, in the concurrent litigation captioned Amgen, /C.H./ 10 Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; May 22, 2008 Amgen Entities' Answering Brief in Opposition to Ariad and the Institution's Motion for Partial Dismissal /C.H./for Lack of Subject Matter Jurisdiction, in the concurrent 11 litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;

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/Catherine Hibbert/

DATE CONSIDERED

May 22, 2008 Amgen Entities' Answering Brief in Opposition to Ariad and the Institutions' Motion for Partial Summary

Pharmaceuticals, Inc., et al., U.S. District Court for the

04/14/2009

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/C.H./ 12 Judgment on Inequitable Conduct, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad

District of Delaware, CA No. 06-259-MPT;

Receipt date: 10/14/2008

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SIGNATURE

/Catherine Hibbert/

10/037,415 Form PTO-1449 Substitute **U.S. Department of Commerce** Application Number January 4, Patent and Trademark Office Filing Date 2002 First Named Inventor David Baltimore Art Unit 1636 INFORMATION DISCLOSURE STATEMENT Examiner Name (Use several sheets if necessary) 75723-Attorney Docket No. ZB/JPW/GJG/CS NON PATENT LITERATURE DOCUMENTS Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item Initials* (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. May 22, 2008 Amgen Entities' Answering Brief in Opposition to Ariad and the Institutions' Daubert Motion to Preclude Expert Testimony of the Honorable Gerald J. Mossinghoff and /C.H./ 13 Dr. Aaron Ciechanover, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; May 22, 2008 Amgen's Answering Brief on Claim Construction, in the concurrent litigation captioned Amgen, Inc., et al. /C.H./ v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; June 6, 2008 Reply Memorandum in Support of Defendants' Motion for Partial Dismissal for Lack of Subject Matter Jurisdiction, in the concurrent litigation captioned Amgen, /C.H./ Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-June 6, 2008 Reply Memorandum in Support of Defendants' Motion for Partial Summary Judgment on Inequitable Conduct, /C.H./ 16 in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; June 6; 2008 Reply Memorandum in Support of Defendants /C.H./ Motion to Preclude Expert Testimony of Mr. Gerald J. Mossinghoff and Dr. Aaron Ciechanover, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT

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Form PTO-1449 Substitute **U.S.** Department of Commerce Application Number 10/037, 415 Patent and Trademark Office Filing Date January 4, 2002 First Named Inventor David Baltimore 1636 Art Unit INFORMATION DISCLOSURE STATEMENT Examiner Name D...... (Use several sheets if necessary) 75723-Attorney Docket No. ZB/JPW/GJG/CS NON PATENT LITERATURE DOCUMENTS Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item Initials* No. (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. June 6, 2008 Amgen Entities' Reply Brief in Support of Their Motion for Summary Judgment of Invalidity of U.S. Patent No. 6,410,516 for Lack of Adequate Written /C.H./ 18 Description Under 35 U.S.C. § 112, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; June 6, 2008 Amgen Entities' Reply Brief in Support of Their Motion for Summary Judgment of Noninfringement of /C.H./ U.S. Patent No. 6,410,516, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; June 6, 2008 Amgen Entities' Reply Brieg in Support of Their Motion for Summary Judgment of Non-willfulness, in /C.H./ 20 the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; June 6, 2008 Amgen Entities' Reply in Support of Their Daubert Motion to Preclude Certain Unsupported and Unreliable Opinion of Dr. Ryan Sullivan Relating to /C.H./ 21 Damages, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-

Dr. Jeffrey v. Ravetch Relating to Written Description and Inherent Anticipation, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT

EXAMINER SIGNATURE /Catherine Hibbert/

MPT;

DATE CONSIDERED

June 6, 2008 Amgen Entities' Reply Brief in Support of its Daubert Motion to Preclude Certain Proffered Opinions of

04/14/2009

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Page 5 of Form PTO-1449 Substitute **U.S. Department of Commerce** Application Number 10/037, 415 2002 **Patent and Trademark Office** Filing Date January 4, First Named Inventor David Baltimore Art Unit 1636 INFORMATION DISCLOSURE STATEMENT Examiner Name D. Gw20 (Use several sheets if necessary) 75723-Attorney Docket No. ZB/JPW/GJG/CS NON PATENT LITERATURE DOCUMENTS $T^{\overline{2}}$ Cite Examiner Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item Initials* No. 1 (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. June 6, 2008 Amgen Entities' Reply Brief in Support of Their Daubert Motion to Preclude Certain Inadmissible Opinions of Dr. Kathryn Calame Relating to Experiments 23 Performed by Dr. Joel Pomerantz, in the concurrent /C.H./ litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; June 6, 2008 Amgen Entities' Reply Brief in Support of Their Motion to Preclude Ariad's Proffered Experts on Willfulness and Inequitable Conduct from Opining on Intent, /C.H./ 24 State of Mind, and Other Matters, in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; September 19, 2008 Memorandum and Order on Claim Construction, in the concurrent litigation captioned Amgen, 25 Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. /C.H./ District Court for the District of Delaware, CA No. 06-259-MPT; September 19, 2008 Memorandum and Order on Defendant's Motion for Partial Dismissal for Lack of Subject Matter /C.H./ Jurisdiction and Motion for Summary Judgment on Inequitable 26 Conduct, in the concurrent litigation captioned Amgen, Inc. et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; September 19, 2008 Memorandum and Order on Plaintiff's Motion for Summary Judgment for Noninfringement of U.S. /C.H./ Patent No. 6,410,516, in the concurrent litigation

EXAMINER /Catherine Hibbert/ DATE CONSIDERED 04/14/2009

Delaware, CA No. 06-259-MPT

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captioned Amgen, Inc. et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of

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				Attorney Docket No.	ZB/JPW/GJG/C	s	
	.		NON PATENT LITERATURE DOC	UMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.					
/C.H./		September 23, 2008 Defendant's Motion to Dismiss or for Judgment Pursuant to Fed. R. Civ. P. 54(b), in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;					
/C.H./	29	September 25, 2008 Plaintiff's Memorandum in Opposition to Defendant's Motion to Dismiss or for Judgment Pursuant to Fed. R. Civ. P. 54(b), in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;					
/C.H./	30	September 26, 2008 Defendant's Reply Memorandum in Support of Their Motion to Dismiss or for Judgment Pursuant to Fed. R. Civ. P. 54(b), in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;					
/C.H./	31	September 26, 2008 Amendment to the September 19, 2008 Memorandum and Order on Plaintiff's motion, in the concurrent litigation captioned Amgen, Inc. et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;					
/C.H./		October 3, 2008-Memorandum Order Granting in Part and Denying in Part of Defendant's Motion to Dismiss or for Judgment Pursuant to Fed. R. Civ. P. 54(b), in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;					
/C.H./	33	October 3, 2008 Judgment in Favor of Amgen Inc, et al., in the concurrent litigation captioned Amgen, Inc., et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court					

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Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT; and

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